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UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

Kimanh Nguyen, individually,  
Plaintiff,

vs.

Daryl Baker, individually; CRST Expedited, Inc.;  
and Does 1-100, Roe Corporations 1-100, inclusive,  
Defendant.

Case No.: 2:24-cv-1500-APG-MDC

**Stipulation to Extend Discovery Plan  
and Scheduling Order  
(First Request)**

**Submitted in Compliance with LR 26-3**

Plaintiff, Kimanh Nguyen (“Plaintiff”), Defendant, Daryl Baker (“Baker”), and Defendant CRST Expedited, Inc. (“CRST”) (collectively, the “Parties”), by and through their counsel of record, hereby submit their Stipulation to Extend Discovery Plan and Scheduling Order by ninety (90) days in accordance with Local Rule 26-3 and Local Rule IA 6-1.

This is the Parties’ first request for an extension of time to the current discovery plan and counsel submits that the request is brought in good faith, supported by good cause in compliance with LR 26-3, and is not intended to cause delay.

**I. Discovery Conducted to Date (LR 26-4(a))**

1. Baker and CRST served their initial FRCP 26.1(a)(1) Disclosure on August 27, 2024;
2. Baker and CRST served their first set of interrogatories and requests for production of documents to Plaintiff on August 27, 2024;

3. Plaintiff served her initial FRCP 26.1(a)(1) Disclosure on September 27, 2024;
4. Baker and CRST served their first supplemental FRCP 26.1(a)(1) Disclosure on October 10, 2024;
5. Plaintiff served her first set of interrogatories and requests for production of documents to Baker and CRST on October 14, 2024;
6. Baker and CRST served their second supplemental FRCP 26.1(a)(1) Disclosure on October 15, 2024;
7. Plaintiff served her responses to Baker and CRST's first set of interrogatories and requests for production of documents on October 15, 2024;
8. Baker and CRST served a notice of intent to serve a subpoena to Plaintiff's employer; and
9. The Parties held a meet and confer regarding the scope of the subpoena to Plaintiff's employer on November 11, 2024. Baker and CRST are in the process of limiting the scope of the subpoena.

## **II. Discovery to be Conducted (LR 26-4(b))**

1. Baker and CRST's responses to Plaintiff's first set of interrogatories and requests for production is currently due on December 2, 2024;
2. Depositions of the parties;
3. Disclosure of experts and their initial reports;
4. Disclosure of rebuttal experts and their reports;
5. Percipient witness depositions;
6. Expert depositions;
7. Medical provider depositions; and
8. Additional written discovery if needed.

## **III. Reasons why the Deadline was not Satisfied or the Remaining Discovery was not Completed Within the Time Limits set by the Discovery Plan (LR 26-4(c))**

The parties have been diligently conducting discovery since discovery commenced in this matter. Good cause exists to extend the discovery deadlines. Plaintiff is still pursuing treatment, including an upcoming appointment on December 20, 2024. Accordingly, the parties have found

that more time is needed to obtain expert reports in advance of the pending December 13, 2024 deadline, and schedule remaining discovery. Further, in an attempt to facilitate a settlement, the parties wish to pursue such resolution prior to incurring additional fees and costs, particularly related to expert witnesses that will make this matter more difficult to resolve. For these reasons the Parties agree to the ninety-day extension of discovery deadlines except for the deadline to amend pleadings and add parties (LR 26-1(b)(2)).

#### **IV. Proposed Schedule for Completing All Remaining Discovery (LR 26-4(d))**

The Parties request that the current deadlines in the Scheduling Order [ECF No. 14] be extended as follows:

1. Last Day to Amend Pleadings or Add Parties: currently November 13, 2024; **no desired change;**
2. Last Day to Disclose Initial Expert Reports: currently December 13, 2024, **desired March 13, 2025;**
3. Last Day to Disclose Rebuttal Experts: currently January 13, 2025, **desired April 14, 2025;**
4. Last Day to Complete Discovery: currently February 11, 2025, **desired May 12, 2025;**
5. Last Day to File Dispositive Motions: currently March 13, 2025, **desired June 11, 2025;** and
6. Last Day to File Joint Pre-Trial Order: currently April 14, 2025, **desired July 14, 2025.** In the event dispositive motions are filed, the date for filing the joint pretrial order shall be suspended until thirty (30) days after a decision of the dispositive motions. The disclosures required by FRCP 26(a)(3), and any objections thereto, shall be included in the pretrial order.

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It is so stipulated.

<p>Dated this 12<sup>th</sup> day of November 2024</p>  <p><u>/s/ Nicholas F. Adams</u>  Michael P. Lowry, Esq.  Nevada Bar No. 10666  Nicholas F. Adams, Esq.  Nevada Bar No. 14813  Attorneys for Daryl Baker; CRST Expedited, Inc.</p>	<p>Dated this 12<sup>th</sup> day of November 2024</p> <p>NAQVI INJURY LAW</p> <p><u>/s/ Michael T. McGrady</u>  Farhan R. Naqvi, Esq.  Nevada Bar No. 8589  Elizabeth E. Coats, Esq.  Nevada Bar No. 12350  Michael T. McGrady  Nevada Bar No. 16277  Attorneys for Kimanh Nguyen</p>
	<p>It is so ordered.</p>  <p><u>Hon. Maximiliano D. Couvillier III</u>  UNITED STATES MAGISTRATE JUDGE</p>